

United States District Court		DISTRICT Eastern District of Pennsylvania	
UNITED STATES OF AMERICA v. Edgardo Welchez-Marroquin		DOCKET NO.	
		MAGISTRATE'S CASE NO.  10-46	
Complaint for violation of Title 18 United States Code § 1073			
NAME OF JUDGE OR MAGISTRATE  Honorable Thomas J. Rueter		OFFICIAL TITLE Chief, U.S. Magistrate Judge	LOCATION  Philadelphia, PA
DATE OF OFFENSE  February 12, 2007	PLACE OF OFFENSE  Skippack Township, PA	ADDRESS OF ACCUSED (if known)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:  On or about February 12, 2007 defendant did unlawfully travel in interstate and or foreign commerce from Skippack Township, Montgomery County, Pennsylvania, to Mexico to avoid prosecution for the murder of Alejandro Guerra, the crime of which is punishable by death and or is a felony under the laws of the Commonwealth of Pennsylvania, in violation of 18 U.S.C. § 1073.			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:  SEE AFFIDAVIT ATTACHED HERETO.			
MATERIAL WITNESSES IN RELATION AGAINST THE ACCUSED:			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.		SIGNATURE OF COMPLAINANT (official title)  Joshua N. Sircus <i>J. N. Sircus</i>	
		OFFICIAL TITLE  Special Agent, Federal Bureau of Investigation	
Sworn to before me and subscribed in my presence.			
SIGNATURE OF MAGISTRATE <sup>(1)</sup>  <i>Thomas J. Rueter</i> Honorable Thomas J. Rueter, Chief, United States Magistrate Judge		DATE  1/8/2010	

1) See Federal Rules of Criminal Procedure rules 3 and 54.



AFFIDAVIT

Joshua N. Sircus, the Affiant, being duly sworn, deposes and says:

1. Your affiant is a Special Agent of the Federal Bureau of Investigation (FBI), and has been so employed for approximately six months. My duties include investigating violations of Federal law.


2. On October 1, 2009, Risa Vetri Ferman, District Attorney for Montgomery County, Pennsylvania, provided a letter to the Federal Bureau of Investigation, requesting the assistance of the FBI in locating and extraditing Edgardo Welchez-Marroquin, the defendant. In the letter, the District Attorney agrees to extradite the defendant from anywhere in the United States or Mexico.

3. On January 4, 2010, Mark Minzola, a detective with the Montgomery County District Attorney's Office advised the FBI of the following:

a. On September 2, 2009, the Honorable Francis J. Lawrence, Jr., issued a warrant for the arrest of Edgardo Welchez-Marroquin, date of birth January 28, 1989, for the February 12, 2007 murder of Alejandro Guerra. This warrant, a copy of which is attached and made a part hereto, is still active as of this date.

b. On April 13, 2009, detectives from the Montgomery County District Attorney's Office lawful consensually monitored telephone calls with the defendant during which the defendant admits he is responsible for the murder of Alejandro Guerra, and that following the murder, the defendant fled the United States.

Wherefore, it is respectfully submitted that there is probable cause to believe that defendant, Edgardo Welchez-Marroquin, did travel in interstate or foreign commerce to avoid prosecution, in violation of 18 U.S.C. §§ 1073.

  
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Joshua N. Sircus  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed  
the 8<sup>th</sup> day of January, 2010.

  
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Honorable Thomas J. Rutter  
United States Magistrate Judge